

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BILAL IBN SABUR,	:	CIVIL ACTION NO. 1:21-CV-1152
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JOHN WETZEL, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 29th day of October, 2021, upon review of the amended complaint pursuant to 28 U.S.C. § 1915A, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Plaintiff's amended complaint (Doc. 11) is DISMISSED in part without prejudice.
2. Plaintiff's access to the courts claim and retaliation claim are dismissed without prejudice as to all defendants.
3. Plaintiff's deliberate indifference claim is dismissed without prejudice as to defendants Wetzel, Ransom, Fagan, and John Doe Deputy Superintendent.
4. Plaintiff may file a second amended complaint on or before **November 29, 2021** to cure the deficiencies identified in the court's memorandum opinion. Any amended complaint filed pursuant to this order shall be filed to the same docket number as the instant action, shall be entitled "Second Amended Complaint," and shall be complete in all respects. It shall be a new pleading that stands by itself as an adequate complaint under the Federal Rules of Civil Procedure.

5. If plaintiff fails to file a second amended complaint by the above date, plaintiff's amended complaint shall remain the operative pleading, and the case shall proceed as to plaintiff's deliberate indifference claim against defendants Carter, Peacock, John Doe Correctional Officer, and John Doe Security Captain/Correctional Officer.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner
United States District Judge
Middle District of Pennsylvania